

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 8th day of June, 2010 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

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| Jeff Dredge, | Council Chair |
| Krista Dunn, | Council Member - Conducted |
| Darren Stam, | Council Member |
| Jared Shaver, | Council Member |
| Jim Brass, | Council Member |

Others who attended:

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| Dan Snarr, | Mayor |
| Jan Wells, | Chief of Staff |
| Michael Wagstaff, | City Council Director |
| Carol Heales, | City Recorder |
| Frank Nakamura, | City Attorney |
| Doug Hill, | Public Services Director |
| Tim Tingey, | Community Economic Development Director |
| Gil Rodriguez, | Fire Chief |
| Patricia Wilson, | Finance Director |
| Pete Fondaco, | Police Chief |
| Connie Cox, | Police Department |
| Lonnie Bennett, | Animal Control |
| Diana Johnson, | Animal Control |
| David Larsen, | IT Director |
| Citizens | |

A. OPENING CEREMONIES

1. Pledge of Allegiance - Tim Tingey, Community Economic Development Director
2. Approval of minutes of May 04, 2010

Mr. Stam made a motion to approve the minutes.
Mr. Dredge 2nd the motion.

Call vote recorded by Carol Heales.

All ayes

B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

None given

Public comment closed

B. CONSENT AGENDA

1. Consider confirmation of the Mayor's appointment of Preston Olsen to the Murray Board of Adjustment serving in an At-Large position for a term to expire April 2, 2012.

Mr. Brass made a motion to approve the appointment.
Mr. Shaver 2nd the motion.

Call vote recorded by Carol Heales:

 A Mr. Dredge
 A Mr. Stam
 A Mr. Brass
 A Mr. Shaver
 A Ms. Dunn

Motion passed 5-0

Ms. Dunn thanked Mr. Preston for his efforts and work in serving on this board.

D. PUBLIC HEARINGS

1. Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider an Ordinance adopting the Final 2010-2011 Fiscal Year Budgets for Murray City, including the Library Fund Budget.

Staff presentation: Patricia Wilson, Finance Director

Ms. Dunn clarified that the Council will not adopt the final budget tonight, but hold the public hearing for this. The final budget will be adopted at the next meeting.

Ms. Wilson said that they have the numbers that were presented at the last Public Hearing, and that those numbers have not changed. She is suggesting that they do a little bit of modification, due to the later information on road projects; basically, they tried to roll forward any road projects that are not going to be completed prior to June 30th, and so the roads department has given them some updated information on that.

There are four different roads that they would like to carry forward into the Capital Projects Fund; they have established a Capital Projects Fund so that we can carry forwards projects that don't finish within our fiscal year. We will need to increase the Capital Projects Fund by \$263,000; that is \$134,000 for Lincoln Street, Murray Boulevard - \$83,000, Allendale- we had some left over money that will be used on Fairbourne in the amount of \$20,000 and then, Fashion Blvd .- Winchester, \$26,000. That would increase our Capital Projects, actually moving the money into Capital Projects, so that we could finish those next year.

We also had some CDBG funds for Murray City Improvements which we were not completed this year, so we will need to roll that money \$97,500 forward and keep it in CDBG fund because it is reimbursed. As we expend that money on projects, we would ask for reimbursement from CDBG. The total is \$360,500, that would be modifying the budget.

The only other comment that Ms. Wilson would like to make at this time: she knows we needed some clarification from the State Tax Commission on our sales tax; we have clarified that with the State Tax Commission now, and we do have the option, if we need it, using the base floor amount; in our case, it is roughly \$12.2 million. That is what is put in our sales tax, our projection at this point in time for Fiscal Year 10, it appears we would not make that amount, if we just got the amount that is given to us, based upon the point of sale, and the split of the

sales tax amount coming to Murray City, would be roughly about \$10.6 million, with another month to collect. We will be, most likely, implementing the floor this year, and we have projected that is what we will get next year for sales tax.

Ms. Dunn stated that before they open this to the floor, there are a few comments they wanted to make on this 2010 budget.

Ms. Dunn thanked the administration for the hard work that they put into putting together a budget, working with the Department Heads, the departments in determining what the needs of the departments are, and covering those needs within the budget, and then presenting it back to the Council. She also thanked the Department Heads and all of their staff, for all the work that they perform day in and day out. They really do appreciate the staff, they appreciate the Department Heads who have gone the extra mile to help them whittle this budget down to an amount that they feel is manageable.

Ms. Dunn also gave her thanks, as Budget Chairman, to the rest of the Council for their work on this, on putting this budget together; it has been a lot more work than they have ever been through on this, as a result of the economy, and as those in the audience may or may not know, we are required by law to have a balanced budget and the Mayor presented the Council with a balanced budget, and they have made some changes in that budget, and they will still present, and adopt next week, a balanced budget.

Tonight we are here to allow the public to weigh in on the budget, on their thoughts and feelings about what a budget ought to look like. Everyone has had the opportunity, since they adopted the Tentative Budget a couple of weeks ago, to take a look if they wished to, at that Tentative Budget and bring the Council their comments. If anyone has not seen it, they can still get a copy of it and spend some time looking at it and contact any one of the Council to ask them about how they arrived where they did with the budget.

Just for those who haven't seen it yet: the Council all agreed on, as a City Council, about this budget, that they wanted to do with this budget: they want to provide municipal services as efficiently and effectively as possible. Efficient means cost effective as well, and that was one of their goals as well as a group. They wanted to work with the administration carefully in the near future, to look at it even more closely; in this economy, we need to work very hard to provide the services which the residents have come to enjoy and to expect, and it is a lot more difficult in times like this. They also agreed, as a group, that because they are going to face economic challenges for some time to come, and because of the result of the legislature taking sales tax from the City some time back, and having to use that floor amount that they set for the city over the past couple of years, when that goes away we are going to be facing making up the difference of that, along with whatever else hits us along the way. We need to make our budget as

efficient as possible now, so that we are ready for that to happen, and the administration has been great about working with the Council and helping them to plan for the future of this city's budget.

Another thing that they agreed on, was not to use one-time dollars to pay for on-going expenses, and then, that they would not increase property taxes without first cutting everywhere they possibly could beforehand. We are a service oriented business, if you want to compare us to a business, city government is a service oriented business, which means that 70% plus of our budget is people, and we need to take care of those people, because they are the ones that provide those services to our residents. The Mayor and his staff worked really hard to keep this budget from putting more people into unemployment, and as a Council, they appreciate that and tried their best to stay in those parameters and they have been able to do that; they appreciate the Mayor's Office for that.

Ms. Dunn continued: the City needs employees to be well trained in what they do, and they have, this year and last year, cut into the training funds; they are willing to do that for a couple of years, but we still need highly trained people and when you go past a couple of years of doing that, then you are hurting your residents because they don't get the services that they need. We need to, as they are working through this the next year, find a way to put that back into place. Another thing that they have cut down in this budget is overtime; and they have asked their department heads to replace that, as much as possible, with adjusting shifts and comp time, and they have agreed to work in that direction. The Council is very appreciative of that, as it was another way that they could cut back on this budget.

Another area is that they asked the department heads, and a few other positions, who do a considerable amount of travelling around the valley to represent the City, to limit their travel and find ways to conserve fuel; to carpool to meetings where they can, and they have reduced their car allowance by 25% . They are also asking the administration to look at ways to make this more fair, as some of our employees get take home cars, to look at ways of maybe adopting some kind of policy like the police department has put in place, something that we can ask the administration to take a look at.

The Council has also, in this current budget, consolidated their professional services; asked the departments to make due where they can. Again, this is one that we cannot do for a long period of time, but in this type of an economy, we are hoping that this will get us through to the next year, and we know that we will have to increase that at some point. They have also reduced miscellaneous costs in each department, and asked all of the departments to stretch the life of any piece of equipment that they possibly can. You need to remember that they also did this to them last year as well, so we have some pieces of equipment that will be two years past when they thought they needed to replace them the first time;

they are increasing maintenance costs by doing this, but they are also saving dollars by not replacing some of these, but it is another thing that they cannot continue to do for a long period of time.

Finally- they have made all of these cuts, knowing that they cut their departments budgets by an additional 5% after what the Mayor cut last year, and then an additional 5% after what the Mayor cut this year. When you take into consideration the 70% that our employees represent of the budget, and you take that other 30% over two years time, we have cut the budget for other things besides personnel, by one-third. That is a huge cut to our departments and it is a cut that we know we can't continue, but we hope it will get us through the worst of the economic times and that through our research with the administration, we can look at more permanent ways to address any future economic hardship. In the end, the Council feels that they are presenting an extremely lean budget to our residents. One other thing that will be added in the future, when that money comes in, there will be added to our roads budget approximately \$1.5 million that the legislature appropriated this year to redo 4800 South; when that comes in, we will add that to our budget and we will get our public services group busy working on 4800 South, which is something we have wanted and needed in this city for a long time. With that, unless Council members have questions or comments to make, we will open for Public Comment.

Public Hearing opened for public comment

Forrest Evans, 560 W. Winchester St, Murray, UT

Mr. Evans asked if he heard correct, that the State took all of the sales tax. Ms Dunn said, no, they took a percentage of it, lowering the percentage to 50/50. It is distributed throughout the valley instead of through point of sale.

Mr. Evans asked if Winchester Street is the configuration that it will remain? He said that the rail crossing there is a 'can of worms.'

Mayor Snarr said that they need to put in the lights to address the challenges we have because they moved 300 West further to the west, and he knows that it is an issue right now; they can't do that until they complete the Mid-Jordan Spur, because otherwise they would have cars that were stopped on the rail line, as they are moving it further to the south.

Mr. Evans said that he understands what the Mayor was saying, but he had referenced to though is the grade where you cross the tracks. The Mayor said that it will stay the same. It is not going to change-you are well aware that they put in the new third line that comes in to bring in the Mid-Jordan Spur line in.

Mr. Evans was wondering why they did not put in more of a taper on that, instead

of more like a speed bump. The Mayor said that it is very expensive, but he has had several residents say that they need a speed bump along there and more officers down there enforcing that street. We work cooperatively with UDOT, with UTA, and the City engineers and that is the way it is going to be, but they will address the traffic with those signals and it will be sometime in August that the lights will go in.

Mr. Evans said that may alleviate some of the problem, but frequently they hear people fly over that area, and when they get there.....

Lonnie Bennett, 4480 S 3600 W, SLC, UT

Ms. Bennett stated that she is a tenured employee with Murray City for eleven years with Animal Control; she also has property here in Murray, pays Murray Taxes and Utilities and would like to read a short statement in regards to the RFP that is being considered to contract animal control services to another city:

The RFP has been on-going since February of this year, and she would like to ask the City Council to reference the documents that were e-mailed to each Council Member on June 04, 2010, including a memo that will outline a number of ideas that could save the City revenue and generate revenue in the amount of \$54,000. There are a number of ideas out there that were not listed, and each nickel and dime counts, as Ms. Dunn commented.

In recent remarks made by the Mayor, the administration, as well as the City Council, it has been said several times over that each and every employee is a valuable asset and very much appreciated; the Mayor's presentation to the employees regarding the budget indicated that there would be no lay-offs with maybe the exception of some engineers, due to the lack of work. Their department certainly has not suffered from a lack of work. In the City Council minutes of May 18, 2010 stated that the Council agreed wholeheartedly with the administration that first of all, this year, they needed to protect the employees with the economy, that they did not need any more unemployed people out in the workforce. It is her opinion that the City stands to lose one of the things that they are most proud of, the self contained municipal services; Animal Control is part of that. Murray City will be forcing two employees out of a job and into an environment of unemployment, while providing three new jobs for another city.

They have been living with a strong possibility that they will be jobless, for the past four months, and the four month wait has been devastating. Not knowing from day to day, has caused undue and unnecessary stress that has affected both her personally, mentally, physically and professionally. The entire situation has been very overwhelming, and no individual should have to live this way, especially when employed with an outstanding city such as Murray. She does

understand that budget cuts need to be made, and that of the two of the employees that they have lost, only one was to be considered to be replaced, and that is very understandable. She would like the City to sit down with the Animal Control division as a team, with positive communication being the driving force to come up with an alternative option with the current Animal Control staff. She would like the City to take the moral and ethical high road, and make a decision *not* to contract out the department services, but to work with the current employees to move past some issues that have been difficult and through a difficult set of circumstances, we can become the best Animal Control team that Murray has had, if they are given a chance.

Dianna Johnson, 6021 W. 3280 S.

Ms. Johnson stated that she is following up comment about the RFP; for everyone at the animal shelter, it has been terribly difficult couple of years and she wants the City Council and the city in general, publicly to know that it was never her intent during this time period to ever cause harm, but only to correct harm that was being done due to the situation being unacceptable. She is asking the City Council to protect the remaining animal control department personnel by voting against accepting an outside agency contract that is meant to replace their jobs.

Bob Fisher, 23 E. Edison, Murray, UT

Mr. Fisher said that down on Main Street, across the creek, they are talking about putting in a new bridge; that was going to be a deal between Salt Lake County and Murray City. He was wondering what has been done with that.

Ms. Dunn recommended that Mr. Fisher have a conversation with Mr. Hill, Public Works Director, over this issue after the meeting.

Mr. Fisher said that he goes over that bridge almost every day.

Public comment closed

Ms. Dunn reiterated that the Council will have a week to consider the comments made by the residents and from this meeting. The budget will be adopted next week, Tuesday, June 15, 2010, they will adopt a budget, it may have some amendments made to it, but

they will be adopting a budget that night. If you have any comments that were not made during this meeting, people may contact the Council members before the meeting.

2. Staff and sponsor presentations, and public comment prior to Council action on the following matter:

Consider a Resolution approving modifications to prior appropriations of Community Development Block Grant (CDBG) funds.

Staff presentation: Tim Tingey, Community Economic Development Director

Mr. Tingey stated that the main point of the reallocation is that they have had a number of projects in the past that have come in under budget and this is reallocating the majority of those funds. They also have additional needs with their CDBG programs that they want to address as well. There are four programs that they are reallocating to: The Boys and Girls Club of South Valley, for a reallocation of \$18,000; that is from some of the funds that were not spent in prior years and will reallocate to make their projects whole for this upcoming year in 2010-2011. The same with Columbus Community Center, and then the Home Owner Down Payment Closing Cost Assistance; the funds that were allocated this past year- this is their first year with this program- they had the goal of assisting five families, and those funds were expended within the first eight months of the program. This is to continue them on to help an additional three families until they get into the next program year, and so they are requesting a reallocation of \$17,000 for that.

Finally, it is for the Housing Rehabilitation Program, reallocating prior year amounts to help assist them with the partnership they have with NeighborWorks, in assisting families for housing rehab dollars. All of these proposals are for the 2009-2010 program year, but he also wanted to mention in the Resolution he would request that they add additional wording to include both the 2009-2010 and the 2010-2011 program years that these funds will be spent in.

Mr. Dredge asked: In the Resolution they are saying, based on what we are doing 2009-2010, we would do the same in 2010-2011?

Mr. Tingey said that this was correct; that the funds will be spent in both 2009-2010 and 2010-2011.

Public Hearing opened for public comment

None given

Public comment closed

Council consideration of the above matter.

Mr. Brass made a motion to adopt the Resolution.
Mr. Stam 2nd the motion.

Call vote recorded by Carol Heales:

A Mr. Dredge
A Mr. Stam
A Mr. Brass
A Mr. Shaver
A Ms. Dunn

Motion passed 5-0

Mr. Brass said that for the other hearing, they have it noticed on the 15th of June as a continuation of Public Comment and discussion. They need a motion to continue.

Mr. Shaver made a motion to continue the discussion on June 15, 2010.
Mr. Brass 2nd the motion.

Call vote recorded by Carol Heales:

A Mr. Dredge
A Mr. Stam
A Mr. Brass
A Mr. Shaver
A Ms. Dunn

Motion passed 5-0

E. UNFINISHED BUSINESS

None scheduled

F. NEW BUSINESS

None scheduled

G. MAYOR'S REPORT

Mayor Snarr said: "what a difference 24 hour makes" obviously yesterday the City had some real challenges with the water in the park, but if you go down there now, the water is out of Myrtle Avenue area; both the businesses and the house that were severely impacted, the water has been put back into the Little Cottonwood Creek and the bridge is now passable, although they are not allowing people to go over it because of the debris that is still on the north side of the bridge as you go through the park, down by the swimming pool. There has been damage to a couple of the bridges and the City will survey to see to what extent the damage has incurred on those bridges, after the water recedes, as far as undermining the foundations; they know of one bridge, over by the pool, that is in very bad shape.

They are down there now, cleaning up the area by Parkside, and doing an excellent job. The Mayor wanted to thank all of the employees, they have done an absolutely incredible job- from the Fire to the Police Department, the Parks Department- the nice thing is that we do have the employees available, and we kept them employed, because we sure did need them for the last few days, and it is nice to have the part-time employees who work in the Parks Department available as well.

The Public Works Department has worked long and hard; Russ and his crew have done a great job; with all of that said, they talked about it and there may be some local money available to help. He spoke with the Governor today, the City declared a local state of emergency to qualify, if funding is available; they know how important it is to track what the City has done, and the costs incurred. Murray Park was closed yesterday, except for the Park Center which sits a little higher, the park is still closed and the pool will be closed until we can get the parking lot cleaned up. They have allowed both baseball and softball to be played again today. The Fire Department is evaluation all flooded properties, and the employees have been great, as have been the residents. The volunteerism has been absolutely incredible- filling sandbags and doing whatever was necessary to address this emergency situation.

Mayor Snarr stated that he had met with the press today, and paid compliments to all the people; he doesn't know if it will be on today, it was a five minute interview and it will probably be a 30 second spot, but he wanted the employees to know how much he appreciates them- they really stepped up and took care of business for our city, and he is very proud of them.

UDOT has agreed to put in a left hand turn lane in at Woodrow and 5300 South, as you go west bound, that is where they were challenged; obviously, there is one coming back east where you turn to go in to the hospital, but now going west bound, they will be putting in a lane in. He can see where some had a concern with the traffic being extraordinary, and maybe only one or two cars would get through at certain times of the day. A timeline has not been agreed upon yet, but they have agreed to do it.

Meetings are being held this week to select companies to bid on the Information Technologies Master Plan Project, which will hopefully bring in some good bids.

Many of the area businesses stepped up and participated in helping to supply water and things for the volunteers doing the sand bagging, and the County was right there as well with flood control and what not; they are responsible for the creeks that go through our city and Big and Little Cottonwood Creeks, which run through Murray, but the real damage was sustained up-stream in Midvale and Cottonwood Heights. Our park did a really good job acting as a retention basin, which is what it really was designed for, and we are thrilled with what we have been able to accomplish in 24 hours. He has faith that by Friday, we will be in good shape; the ground may be too soggy to hold some events, but as far as the clean-up goes, and the roads being totally open, it should be taken care of. The river is receding and according to the hydrologist, we should be ok unless we have more major storms.

H. QUESTIONS OF THE MAYOR

Mr. Stam said that Saturday night, Sunday morning, between 11:00 and 1:30, he was down there, as it affects a lot of people in District #4. He had received a phone call, and he wanted to compliment the Fire and Public Works Departments: just watching them do their thing was amazing. He did not go in and tell them who he was, but just threw sandbags and watched them work; he cannot compliment them enough- they are all great people, even under the very stressful situation, they were calm, handling it-even though some people were fairly upset over what was happening- they dealt with it very well, and he is very impressed and wanted to thank you for all their work.

Ms. Dunn asked that the Department Heads go back and let the employees know that they really are appreciated; she added that they appreciate it even to the effect that they received a phone call at 1:40 in the morning, from the Fire Chief, letting them know the situation at the Boys and Girls Club, and she really appreciates that they have gone to every effort they possibly could to take Care of the residents of this community.

Another thank you from the Council to all of the residents who came out to volunteer time and spent hours and hours- she say a lot of sunburned necks and faces out there-putting in some hard, hard work. Appreciation from them, as elected officials, to the residents for pitching in.

ADJOURNMENT